

REMARKS

Claims 1-2 and 4-52 are pending in this application. By this Amendment, claim 1 is amended and claim 3 is canceled without prejudice to or disclaimer of the subject matter disclosed therein. Reconsideration of the application is respectfully requested.

Applicants thank the Examiner for the indication that claims 14, 20, 22, 26, 27 and 37 contain allowable subject matter. However, Applicants respectfully submits that claims 15 and 16 are also allowable at least because of their dependence on allowable claim 14, and claims 24 and 25 are also allowable at least because of their dependence on allowable claim 26.

The Office Action rejects claims 1-13, 15-19, 21, 23-25, 28-36, 38-47 and 49-52 under 35 U.S.C. §103(a) over GB 2302092 (GB '092) in view of GB 1485388 (GB '388) and Reichert et al. (U.S. Patent No. 4,710,404). The rejection is respectfully traversed.

In particular, none of the applied references, alone or in combination, disclose or suggest a powder coating composition that includes a pigment providing a metallic effect, the pigment comprising at least one of aluminium, an aluminium alloy, stainless steel, copper, tin, bronze and brass, as recited in independent claim 1.

Specifically, the July 29, 2004 Office Action admitted that neither GB '092 nor GB '388, alone or in combination, disclose or suggest a metal phosphate or a metal borate (July 29, 2004 Office Action, page 2, lines 8-9). The current Office Action does not address this issue, and it will be assumed that the position of the Patent Office remains the same as to the presence of metal phosphate and metal borate in GB '092 and GB '388. Moreover, Reichert teaches a solvent-free coating composition that is useful for increasing the corrosion resistance of a surface and that includes a solvent-free coating material, and an anti-corrosive agent comprised of a mixture consisting essentially of magnesium oxide and zinc oxide with or without calcium oxide (Abstract). However, Reichert does not disclose or suggest a metallic pigment that includes at least one of aluminium, an aluminium alloy, stainless steel, copper, tin, bronze or brass, as recited in independent claim 1. Reichert teaches the use of metal phosphates and metal borates

only as possible additives in order to prevent substrate corrosion, but these additives are not pigments that provide a metallic effect, Reichert does not disclose a metallic pigment and Reichert also does not disclose or suggest the specific metals claimed in independent claim 1. The only metals taught by Reichert are magnesium and zinc in oxide form (col. 5, lines 3-5). Finally, Reichert does not disclose a metallic powder coating composition as claimed in independent claim 1. Accordingly, Reichert fails to cure deficiencies in GB '092 and GB '388 in disclosing or rendering obvious the features of independent claim 1. As such, independent claim 1, and its dependent claims, are patentable over the applied references. Thus, withdrawal of the rejection of the claims under 35 U.S.C. §103(a) is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-2 and 4-52 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



William P. Berridge
Registration No. 30,024

Tarik M. Nabi
Registration No. 55,478

WPB:TMN/tje

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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